

Volume 2 – Contents

CHAPTER 1—INSTITUTIONAL ELIGIBILITY	2-1
Type & Control	2-1
<i>The three types of eligible institutions, Institutional control</i>	
Basic Criteria for Eligible Institutions.....	2-3
Legal Authorization by a State	2-3
Accreditation.....	2-5
<i>Alternatives to regular accreditation, Primary accreditor, Dual accreditation</i>	
Admissions Standards	2-5
<i>High school diploma, Recognized equivalent of a high school diploma,</i>	
<i>Homeschooled students & compulsory school attendance, Preparatory programs</i>	
<i>for students without a high school diploma or equivalent</i>	
“Two-Year” Rule for New Proprietary or Vocational Schools.....	2-7
Factors Leading to Loss of Eligibility	2-8
<i>Limitations; Bankruptcy or crimes involving FSA programs</i>	
Criteria to Participate in TEACH Grant Program	2-8
Applying as an Eligible Nonparticipating School.....	2-9
Withdrawal Rates.....	2-9
The Program Participation Agreement	2-10
<i>Purpose and scope of the PPA, Expiration or termination of the agreement</i>	
 CHAPTER 2—PROGRAM ELIGIBILITY,	
WRITTEN ARRANGEMENTS, & DISTANCE EDUCATION	2-13
Determining Program Eligibility	2-13
Basic Types of Eligible Programs.....	2-14
<i>Eligible programs at an institution of higher education,</i>	
<i>Eligible programs at a proprietary or postsecondary vocational institution</i>	
Programs Leading to Gainful Employment	2-16
<i>Domestic proprietary institutions & domestic postsecondary vocational</i>	
<i>institutions, Domestic public and domestic private nonprofit institutions of higher</i>	
<i>education, Foreign proprietary institutions, Foreign public and nonprofit institutions</i>	
Additional Eligibility Requirements.....	2-18
<i>Transition programs for students with intellectual disabilities, Educational programs eligible</i>	
<i>for TEACH Grants, ESL programs, Direct Assessment programs,</i>	
<i>Study-abroad programs, Flight school programs</i>	
Written Arrangements Between Schools	2-20
<i>Consortium agreement, Contractual agreement, Study-abroad programs,</i>	
<i>Types of study-abroad programs</i>	
Distance Education & Correspondence Study	2-23
<i>Distance education; Correspondence courses</i>	

Clock-Hour/Credit-Hour Conversions in Determining Program Eligibility.....	2-25
<i>When a school must use clock hours for FSA purposes, Definition of a clock hour,</i>	
<i>Definition of a credit hour, Clock/Credit-hour conversions in determining</i>	
<i>program eligibility, Credits approved by state and accrediting agencies</i>	

CHAPTER 3 – FSA ADMINISTRATIVE & RELATED REQUIREMENTS 2-31

Administrative Requirements for the Financial Aid Office	2-31
<i>Consistency of information & conflicting information, OIG referrals,</i>	
<i>Coordinating official, Counseling, Adequate staffing, System of checks and balances</i>	
Ownership, Employees, & Contractors	2-35
<i>Debarment of school owners or staff, Certifying current or prospective</i>	
<i>employees or contractors, Lower-tier covered transactions,</i>	
<i>Crimes involving FSA program funds, Code of conduct,</i>	
<i>Compensation for serving on an advisory board</i>	
Contracts with Third-Party Servicers	2-38
<i>Excluded functions, Excluded entities,</i>	
<i>Requirements of a third-party servicer contract</i>	
Incentive Compensation Prohibition	2-40
Required Electronic Processes	2-40
<i>Information for Financial Aid Professionals (IFAP), Minimum systems requirements</i>	
Sharing Information with NSLDS, Federal Loan Servicers, and Guarantors	2-45
<i>Reporting student enrollment data to NSLDS, Updating borrower information</i>	
<i>at separation, Sharing information about delinquent/defaulted borrowers,</i>	
<i>Financial aid history & transfer monitoring</i>	
Satisfactory Academic Progress (SAP)	2-48
<i>Basic elements of an SAP policy</i>	
Provisions for U.S. Armed Forces Members & Families	2-48
<i>In-state tuition rates for active-duty servicemembers &</i>	
<i>family attending public institutions, Readmission of servicemembers</i>	

CHAPTER 4 – AUDITS, FINANCIAL STANDARDS, LIMITATIONS, & COHORT RATES 2-53

FSA Audit Requirements for Schools	2-53
Timing of Audit Submissions	2-54
<i>Simultaneous FSA audit submissions, Submission dates for FSA audits,</i>	
<i>Waivers of requirement for an annual FSA audit</i>	
Standards & Guidelines for FSA Audits.....	2-57
<i>Audited financial statement requirement, FSA compliance audits,</i>	
<i>Single Audit Act (A-133 audit) guidelines, Exemptions, FSA consolidated statements</i>	

90/10 Revenue Test.....	2-59
Audit & Audit Review Process	2-62
<i>Having the audit performed, Review of FSA audit submissions, Access to records</i>	
Audits for third-party servicers	2-64
Demonstrating Financial Responsibility	2-65
<i>Financial responsibility for public schools,</i>	
<i>Financial responsibility for proprietary or private nonprofit schools</i>	
Standards for Financial Responsibility	2-66
<i>Composite score, Refund reserve standards, Returning funds in a timely manner,</i>	
<i>Compliance thresholds for timely return of funds, Letter of credit required when</i>	
<i>funds are not returned in timely manner, Exceptions to the letter of credit requirement,</i>	
<i>Current in debt payments</i>	
Alternatives to the General Financial Standards.....	2-71
<i>Letter of credit alternative for new school, Letter of credit alternative for participating school,</i>	
<i>Zone alternative, Provisional certification for school not meeting standards,</i>	
<i>Provisional certification for school where persons or entities owe liabilities</i>	
Past Performance and Affiliation Standards.....	2-74
<i>Past performance of a school, Past performance of persons affiliated with a school</i>	
Limitations	2-75
<i>Limitation on students admitted without a high school diploma or equivalent,</i>	
<i>Incarcerated student limitation, Correspondence course &</i>	
<i>correspondence student limitation</i>	
Cohort Default Rates.....	2-78
<i>Time frames for cohort default rates, Change to 3-year time frame for</i>	
<i>FY2009 cohort default rates, Effect of cohort default rates,</i>	
<i>Default prevention & management plan</i>	
 CHAPTER 5 – UPDATING APPLICATION INFORMATION	2-81
Recertification	2-81
Change in Ownership	2-82
<i>Changes at public institutions; Change in ownership that results in a change of control,</i>	
<i>structure, or governance; Change in ownership for closely-held corporations;</i>	
<i>Change in ownership for publicly traded corporations; Change in ownership</i>	
<i>for corporations that are not closely held or registered with the SEC</i>	
Changes in Ownership Interest and 25% Threshold	2-85
Steps to be Taken During A Change in Ownership.....	2-86
<i>Steps to be taken by former owners, Steps to be taken by prospective owners,</i>	
<i>Accepting liabilities and responsibility for return of funds, Payments to eligible students</i>	
Temporary Approval for Continued Participation	2-88
Reporting Substantive Changes	2-90
<i>Approval required from accreditor & state agency,</i>	
<i>Notification of school closure or bankruptcy</i>	
Changes to Location, Branch, or Campus.....	2-93
<i>Eligibility of additional locations, Reporting a new location,</i>	
<i>Applying for approval of a new location, Changing the status</i>	
<i>of a campus or a branch</i>	

Changes to Educational Programs.....	2-96
<i>Adding a program—when a school may make eligibility determinations,</i> <i>ED must approve all other added programs, Updating a program</i>	
Changes in Accreditation	2-97
<i>Loss of accreditation, Change in institution-wide accreditation,</i> <i>Changing to accreditation by more than one institution-wide accrediting agency</i>	
Changes to 3rd-Party Servicers.....	2-98

CHAPTER 6 – PROVIDING CONSUMER & SAFETY INFORMATION..... 2-101

Availability of Information	2-101
<i>Notice to enrolled students, Web dissemination,</i> <i>Availability of employees for information dissemination purposes</i>	
General Student Disclosures	2-102
<i>Financial assistance available to students; Information about the school’s academic</i> <i>programs, cost, facilities & policies; Disseminating completion, graduation, & transfer-out</i> <i>rates (Student Right-To-Know); Retention, placement, & post-graduate study</i>	
Disclosures and Gainful Employment Programs	2-106
<i>Disseminating information about gainful employment programs, Median loan debt,</i> <i>Placement rates</i>	
Campus Crime & Safety Information.....	2-108
<i>Distributing security and fire safety reports to enrolled students & current employees,</i> <i>Dissemination of reports to prospective students & prospective employees</i>	
Information about Athletics	2-109
<i>Report on athletic program participation rates & financial support,</i> <i>Providing completion & graduation rates for student athletes</i>	
Textbook Information	2-111
Loan Counseling	2-112
<i>Entrance counseling, Direct Loan counseling on the Web, Providing borrower information at</i> <i>separation, Exit counseling follow up, TEACH exit counseling,</i> <i>Counseling for correspondence & study-abroad students</i>	
Drug and alcohol abuse prevention.....	2-114
<i>Information to be included in drug prevention materials for students,</i> <i>Distribution of materials to all students and employees</i>	
Misrepresentation	2-117
<i>Misrepresentation, Substantial misrepresentation</i>	
Information about Private Loans	2-118
<i>Disclosures required for private education loans, Self-certification form for private</i> <i>education loans, Schools as private lenders, Preferred lender lists, Preferred lender</i> <i>disclosures, Use of institution & lender name</i>	

CHAPTER 7 – RECORDKEEPING, ELECTRONIC PROCESSES, & PRIVACY	2-123
Required Records	2-123
<i>Records related to school eligibility, Records relating to student eligibility, Fiscal records, Loan program records</i>	
Record Retention Periods	2-127
Record Maintenance	2-128
<i>Acceptable formats, Special requirements for SARs and ISIRs</i>	
Examination of records	2-129
<i>Location, Cooperation with agency representatives</i>	
Privacy of Student Information (FERPA)	2-130
<i>Students & parents' rights to review educational records, Prior written consent to disclose the student's records, Disclosures to school officials, Disclosures to government agencies, Disclosures in response to subpoenas or court orders, Documenting the disclosure of information</i>	
The E-Sign Act & Information Security	2-134
<i>Obtaining voluntary consent for electronic transactions, Safeguarding confidential information in electronic processes, Establishing & maintaining an information security program</i>	
Preventing Copyright Violations.....	2-137

CHAPTER 8 – CAMPUS SAFETY, REPORTS, & OTHER REQUIREMENTS	2-139
Safety Requirements	2-139
<i>Crime log, Policies on timely reporting of crimes, Fire safety, Missing persons procedures, Emergency response & evacuation, Timely warning & emergency notification</i>	
Reporting Campus Data to ED	2-142
<i>Completion, graduation, & transfer rates (Student Right-to-Know); Completion, graduation, & transfer-out rates for student athletes; Equity in Athletics (EADA) Report; Annual submission of campus security & fire safety statistics</i>	
Reporting Information on Foreign Sources & Gifts.....	2-144
<i>Who must report, Timing and content of submission, Information to be reported, Alternative reporting</i>	
Anti-Lobbying Provisions	2-146
<i>Prohibition on use of FSA funds, Campus-based disclosure</i>	
Programs to Prevent Drug & Alcohol Abuse	2-147
<i>Drug & alcohol abuse prevention program, Drug-Free Workplace requirements for Campus-Based schools</i>	
Voter Registration	2-148

CHAPTER 9 – PROGRAM REVIEWS, SANCTIONS, & CLOSEOUT	2-149
Program Reviews by the Department	2-149
<i>Scope of the review, Location of the review,</i>	
<i>Notification of the review, Entrance and exit/status conference,</i>	
<i>Written report, Final Program Review Determination (FPRD)</i>	
Corrective Actions & Sanctions	2-154
<i>Sanctions, Criminal penalties</i>	
Closeout Procedures (When FSA Participation Ends)	2-156
<i>Involuntary withdrawal from FSA participation, Closeout procedures when</i>	
<i>participation ends, Unpaid commitments, Teach-out plan, Closure of a branch or location,</i>	
<i>Loss of eligibility or withdrawal from the Direct Loan Program</i>	